

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 22, 1998

DIVISION ONE

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Dunn, J. (Assigned)

B117937 People (Not for Publication)
v.
Fox

The judgment is modified to reflect the \$1,000 fine imposed pursuant to section 1202.4, subdivision (b) and the \$1,000 fine required by section 1202.45; as modified, the judgment is affirmed, and the cause is remanded to the trial court with directions to issue a corrected abstract of judgment reflecting both fines.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

October 22, 1998-Continued

DIVISION ONE (Continued)

B124328 Kim S. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children & Family Services, r.p.i.)

The petition is denied.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Masterson, J.

B117197 Los Angeles County, D.C.S. (Not for Publication)
v.
Isaac L., Sr.

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

October 22, 1998-Continued

DIVISION ONE (Continued)

[illegible]

The order is affirmed.

Vogel (Miriam A.), Acting P.J.

We concur: Masterson, J.
Dunn, J. (Assigned)

B101198 Creek, et al. (Not for Publication)
v.
First Fidelity Thrift & Loan Association

The judgment is reversed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Dunn, J. (Assigned)

B118017 Hollingsworth (Not for Publication)
v.
Munoz
Hall

The appeal is dismissed. The motion for sanctions is denied. The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION ONE (Continued)

B111375 Ajax Supply Company (Not for Publication)
v.
Yankee Dynasty, Inc., et al.

The judgment is affirmed. Ajax is entitled to its costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Masterson, J.

B099031 Life Alert Emergency (Not for Publication)
Response, Inc., et al.
v.
Shea & Gould, et al.

The judgments are affirmed. The cross-appeal is dismissed as moot.
Defendants are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

B119227 Illinois Wash Construction Co., Inc.(Not for Publication)
v.
Hollier Engineering & Construction, Inc.

The judgment is affirmed. Illinois Walsh Construction Company, Inc. is
awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Masterson, J.

DIVISION ONE (Continued)

B114991 People v. Morro (Not for Publication)
B121138 In re Morro on Habeas Corpus

The judgment is affirmed. The petition is denied..

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Masterson, J.

B106533 Hiddleston, et al. (Not for Publication)
 v.
 Rosen, et al.

The judgment is affirmed. Rosen is entitled to his costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Dunn, J. (Assigned)

B121559 People (Not for Publication)
 v.
 Galbreath

The judgment is modified to impose a \$5,000 fine pursuant to Penal Code section 1202.45. As modified, the judgment is affirmed, and the cause is remanded to the trial court with directions to issue a corrected abstract of judgment.

Vogel (Miriam A.), Acting P.J.

We concur: Masterson, J.
 Dunn, J. (Assigned)

DIVISION ONE (Continued)

B115877 Peters (Not for Publication)
v.
Farmers & Merchants Bank of Long Beach et al.

The orders are reversed, and (assuming the Bank and its officers conclude the issue is worth pursuing) the cause is remanded to the trial court with directions to determine the issues listed in the preceding paragraph. The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Dunn, J. (Assigned)

DIVISION TWO

B120820 Obregon (Certified for Partial Publication)
v.
Superior Court, Los Angeles County
(CIMM's Inc., et al., r.p.i.)

Let a writ of mandate issue directing respondent to vacate that portion of its March 4, 1998 order denying petitioner's motions to compel further response to form and special interrogatories. Respondent is directed to set for hearing the issue of whether outright denial of the discovery requested by petitioner, or some lesser sanction, would be most appropriate. Real party to bear the costs of this petition.

Zebrowski, J.

We concur: Boren, P.J.
 Fukuto, J.

DIVISION TWO (Continued)

B123346 Delia A. (Not for Publication)

V.

Superior Court, Los Angeles County

(L.A. County Department of Children & Family Services, r.p.i.)

The petition for writ of mandate is denied, and the order to show cause is dismissed.

Fukuto, Acting P.J.

We concur: Nott, J.

Zebrowski, J.

B122221 Lisa G. (Not for Publication)

V.

Superior Court, Los Angeles County

(L.A. County Department of Children & Family Services, r.p.i.)

The petition for extraordinary writ is denied and the order to show cause is dismissed.

Boren, P.J.

We concur: Fukuto, J.

Nott, J.

Court convened at 9:15 A.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

Each of the following:

B118670 People v. Belton

B115117 People v. Arce

B113676 People v. Moore

B119752 People v. Aldridge

B117694 People v. Thang

DIVISION TWO (Continued)

Each of the following (continued):

B115373 Trope v. Barab, et al.
B121967 People v. Catherine M.
B119043 People v. Eugene S.
B118544 People v. Turner
B115631 People v. Zendejas
B118526 People v. Simmons
B110207 People v. Stafford
B118386 LADCFS v. Elena W.
B121870 Brian S. v. LADCFS
B118397 In re: Cherry W.
B121989 In re: Joe & Mary Jane F.
B124452 Eumieka v. Sup. Ct.
B119808 People v. York
B118857 People v. Rodriguez
B111858 People v. Johnson & Jackson
B108626 People v. Sheppard
B117040 Gray v. Jeffers
B118219 People v. Singh
B110015 People v. Alvarado & Morale
B113865 People v. Miller
B118907 People v. Ligons
B115668 Shephard v. Northwest Cargo
B116876 Bowie v. Automobile
B115945 People v. Hernandez

Argument waived, cause submitted.

B117887 Robinson
v.
City of Los Angeles

Merits:

Argued by Diane Marchant for appellant and by S. David Hotchkiss for respondent. Cause submitted.

DIVISION TWO (Continued)

B107000 People
 v.
 Jackson

Merits:

Argued by Debi Ramos for appellant and by Beverly Falk, Deputy Attorney General for respondent. Cause submitted.

B116305 Aguirre-Alvarez
 v.
 Regents of the University of California

Merits:

Argued by Donald Norris for appellant and by Mark Connely for respondent. Cause submitted.

B113165 Gallagher
 v.
 Minorini

Merits:

Argued by Chloris DeBrauwere for appellant and by Steven Boehmer for respondent. Cause submitted.

B111602 People
 v.
 Buono

Merits:

Argued by Marilyn Burkhardt for appellant and by Diane Summerhayes, Deputy Attorney General for respondent. Cause submitted.

DIVISION TWO (Continued)

B114555 Ayarian
 v.
 Redmond

Merits:
Argued by John Saur for appellant and by Lance Selfridge for respondent.
Cause submitted.

B107317 Edison Technologies, Inc.
 v.
 Waffer International Corp.

Merits:
Argued by Jennifer Kurzon for appellant and by Loren Kraus for
respondent. Cause submitted.

B109271 People
 v.
 Sudduth, et al.

Merits:
Argued by Thomas Ono for appellant and by Lawrence Daniels, Deputy
Attorney General for respondent. Cause submitted.

Justice Zebrowski leaves the bench.

B115340 Arata Equipment Company
 v.
 Smith & Sons Enterprises, Inc.

Merits:
Argued by John Harris for appellant and by Katherine Quadros for
respondent. Cause submitted.

Court Recessed.

DIVISION TWO (Continued)

The Court reconvened at 1:00 P.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

B120232 People
 v.
 London

Merits:

Argued by Christine Shaver for appellant and by Rama Maline, Deputy Attorney General for respondent. Cause submitted.

Presiding Justice Boren leaves the bench.

B111819 Mosler & Company
 v.
 County of Los Angeles

Merits:

Argued by Charles Collins for appellant and by Karen Kurta for respondent. Cause submitted.

B119072 McGrath
 v.
 Allstate Insurance Company

Merits:

Argued by Travis Jack for appellant and by Daniel Barer for respondent. Cause submitted.

Court adjourned.

DIVISION FOUR

[illegible]

The judgment of conviction is affirmed, and the cause remanded for resentencing in accordance with the view expressed in this opinion.

Epstein, Acting P.J.

We concur: Hastings, J.
Cooper, (F.M.), J. (Assigned)

B113131 Diamond
v.
Hoffman

Filed order denying petition for rehearing.

B109221 People
v.
Goldstein

Filed order denying petition for rehearing.

DIVISION FIVE

B103021 People (Not for Publication)
v.
Roy Rios Alvarez

The judgment is modified as follows: Appellant is sentenced to an additional, consecutive five-year term under section 667, subdivision (a) (1). The abstract of judgment is ordered modified accordingly. The judgment as modified is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

DIVISION FIVE (Continued)

B121657 People (Not for Publication)
v.
Raydale Hunter

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

B121650 Los Angeles County, D.C.S. (Not for Publication)
v.
Marisela M.
In re Gabriel B.

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B117565 People (Not for Publication)
v.
George Casillas

The judgment is affirmed. The clerk of superior court is ordered to prepare an amended abstract of judgment which reflects the imposition of all fines including the restitution fine pursuant to Penal Code section 1202.45.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

DIVISION SIX

B121750 San Luis Obsipo County (Not for Publication)
 Dept. of Social Services
 v.
 Melissa H.

The order terminating appellant's parental rights is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

B119886 French Hospital Medical Center (Not for Publication)
 v.
 Pilch, M.D.

The order denying French Hospital's motion to disqualify is affirmed.
Costs to respondent.

Yegan, J.

We concur: Stone, P.J.
 Coffee, J.

B117460 People (Not for Publication)
 v.
 Dustin E.

The appeal is dismissed.

Stone, P.J.

We concur: Yegan , J.
 Coffee, J.

October 22, 1998-Continued

DIVISION SIX (Continued)

B105128 Water World Resorts, Inc. (Not for Publication)
v.
Gold

The judgment is affirmed. Appellants shall bear costs on appeal.

Gilbert, J.

We concur: Stone, P.J.
 Yegan, J.

B115171 Bulgin (Not for Publication)
v.
Veterinary Medical Board

The judgment of the trial court is reversed. The parties shall bear their own costs.

Stone, P.J.

We concur: Gilbert, J.
 Coffee, J.